

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the  
Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and the Chapter 7 Estate of Bernard L.  
Madoff,

Plaintiff,

v.

BANQUE CANTONALE VAUDOISE,

Defendant.

Adv. Pro. No. 12-01694 (CGM)

**STIPULATION AND ORDER TO WAIVE ARGUMENT**

Irving H. Picard (the “Trustee”), as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–III, and the estate of Bernard L. Madoff, and defendant Banque Cantonale Vaudoise (“Defendant,” and together with the Trustee, the “Parties”), by and through their respective, undersigned counsel, hereby stipulate and agree as follows:

**WHEREAS**, on March 7, 2022, Defendant filed a motion to dismiss the Trustee's complaint (the "Motion"), ECF No. 92, with a supporting declaration and memorandum of law, ECF Nos. 93–94; on May 6, 2022, the Trustee filed an opposition to Defendant's Motion, ECF No. 97; and on June 6, 2022, Defendant filed a reply and supporting declaration in further support of its Motion, ECF Nos. 99–100;

**WHEREAS**, pursuant to a notice of hearing, ECF No. 95, the Court scheduled a hearing to consider the Motion to be held on July 13, 2022, at 10:00 am; and

**WHEREAS**, the Parties have met and conferred and have agreed to rest on their papers and waive oral argument on the Motion.

**IT IS HEREBY STIPULATED AND AGREED**, by the Parties, and **SO ORDERED**, by the Court:

1. The Court will not hear oral argument on the Motion, and the hearing scheduled for July 13, 2022, at 10:00 am, to consider the Motion is cancelled and will be removed from the Court's calendar.
2. The Parties otherwise reserve all rights, arguments, objections and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect any such rights, arguments, objections, and defenses.

*[Remainder of page intentionally left blank.]*

Dated: June 22, 2022  
New York, New York

**BAKER & HOSTETLER LLP**

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Madoff Investment Securities LLC and the  
Chapter 7 Estate of Bernard L. Madoff*

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*Attorneys for Defendant Banque Cantonale  
Vaudoise*

**SO ORDERED.**

**Dated: June 27, 2022  
Poughkeepsie, New York**



/s/ Cecelia G. Morris

**Hon. Cecelia G. Morris  
U.S. Bankruptcy Judge**